

Message Text

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C O N F I D E N T I A L SINGAPORE 3438

E.O. 11652: GDS

TAGS: PINT, SN

SUBJECT: SEQUEL TO CONVICTION ON CORRUPTION CHARGE OF GOS
MINISTER OF STATE

REF: 75 SINGAPORE 3850

1. WEE TOON BOON CASE (REFTEL) SURFACED AGAIN BRIEFLY ON JULY 13 WHEN SINGAPORE CHIEF JUSTICE WEE CHONG JIN DELIVERED HIS APPEAL JUDGMENT. THE MOST SUBSTANTIAL OF THE FIVE CHARGES AGAINST TOON BOON WAS SET ASIDE BECAUSE HIS CONVICTION THEREON, IN CHIEF JUSTICE'S WORDS, WAS "CLEARLY WRONG", THE CHARGE, NAMELY, CORRUPTLY ACCEPTING A HOUSE AND LAND VALUED AT SOME S\$530,000 WAS THROWN OUT ON WHAT AMOUNTED TO A TECHNICALITY. THE CHIEF JUSTICE MAINTAINED THAT TITLE TO THE PROPERTY HAD NOT LEGALLY BEEN TRANSFERRED OR CONVEYED; HENCE, PROSECUTION HAD NOT PROVEN ITS CASE. CHIEF JUSTICE DISMISSED PROSECUTOR'S REQUEST THAT CHARGE BE AMENDED TO "DID CORRUPTLY AGREE TO ACCEPT", STATING CRIMINAL PROCEDURE CODE DID NOT EMPOWER HIM, SITTING AS AN APPEALS COURT, TO ALTER OR AMEND A CHARGE. THE JAIL SENTENCE OF THREE YEARS FOR THAT OFFENSE WAS TOSSED OUT ALONG WITH THE CHARGE.

2. UPHELD WERE TOON BOON'S CONVICTIONS ON THE REMAINING FOUR CHARGES: 1) GALVANIZED ROOFING OF HIS HOME;
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2) AND 3) TWO BANK GUARANTEES; AND 4) AIRLINE TICKETS.

THE APPEALS COURT ALSO UPHELD JAIL SENTENCES OF SIX MONTHS ON EACH OF THESE CHARGES, TO RUN CONSECUTIVELY EXCPET ONE WHICH IS TO RUN CONCURRENTLY WITH OTHERS.

3. THE APPEAL JUDGMENT WAS GIVEN PROMINENT PRESS COVERAGE ON JULY 14. SUBSTANTIAL REDUCTION IN ORIGINAL TOTAL JAIL SENTENCE FROM FOUR AND ONE HALF YEARS TO 18 MONTHS WAS EMPHASIZED, BUT REAFFIRMATION OF TOON BOON'S GUILT IN LENGHTY JUDGMENT WAS ALSO HIGHLIGHTED. WHILE THE CHIEF JUSTICE ACKNOWLEDGED THAT PLAINTIFF'S ACTS HAD CUASED NO INJURY TO GOVERNMENT AND HAD BENEFITTED PLAINTIFF VERY LITTLE, HE OBSERVED THAT "GRAVAMEN" WAS THE FACT THAT TOON BOON COMMITTED OFFENSES WHILE POSSESSING MINISTERIAL OFFICE. IN LIGHT OF FOREGOING, CHIEF JUSTICE CONSIDERED JAIL TERMS NOT TO BE MANIFESTLY EXCESSIVE AND LET THEM STAND.

4. COMMENT. FOR ALL PRACTICAL PURPOSES, APPEAL JUDGMENT BRINGS TOON BOON EPISODE TO ITS CONCLUSION. THE ACTUAL TIME HE SPENDS IN JAIL COULD BE REDUCED BY AS MUCH AS ONE-THIRD FOR GOOD BEHAVIOR. TOON BOON'S ATTORNEY, DAVID MARSHALL (FOR CHIEF MINISTER OF SINGAPORE), APPEARS GENERALLY SATISFIED WITH OUTCOME OF CASE, FEELING THAT APPELLATE JUDGEMENT NOT BADLY OUT OF LINE WITH GRAVITY OF OFFENSES OF HIS CLIENT. RESURFACING OF CASE CONSTITUTES REMINDER TO OTHERS THAT EVEN MINOR MISDEEDS IN PUBLIC OFFICE WILL NOT BE TOLERATED. WHILE THEY CAN HARDLY BE PLEASED WITH OUTCOME, TOON BOON'S REPORTEDLY NUMEROUS SYMPATHIZERS AND FRIENDS WILL, IN THEIR RELIEF, PERHAPS BE PREPARED TO ACCEPT EQUITY OF APPELLATE JUDGMENT. IN RETROSPECT, IT IS IRONIC THAT TOON BOON, APPARENTLY COULD HAVE SPARED HIMSELF AGONY OF HIS TRIAL AND AT LEAST A YEAR IN JAIL BY VOLUNTARILY RELINQUISHING HIS OFFICE. MARSHALL MAINTAINS THAT GOS HAD GIVEN TOON BOON LATTER OPTION. HOLDRIDGE

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